REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed May 28, 2008. Reconsideration and allowance of the application and pending claims are respectfully requested.

Claim Rejections - 35 U.S.C. § 103(a)

As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office ("USPTO") has the burden 35 U.S.C. § 103 to establish obviousness by showing objective teachings in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. *In re Fine,* 837 F.2d 1071, 1074, 5 U.S.P.Q. 2d 1596, 1598 (Fed. Cir. 1988). The key to supporting an allegation of obviousness under 35 U.S.C. § 103 is the clear articulation of the reasons why the Examiner believes that claimed invention would have been obvious. *See* MPEP § 2141. As stated by the Supreme Court, "[r]ejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *KSR v. Teleflex,* 550 U.S. at ___, 82 USPQ2d at 1396 (quoting *In re Kahn,* 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006)).

Applicant respectfully submits that it has not been established that Applicant's claims are obvious in view of the prior art. Applicant discusses those claims in the following.

A.   Rejection of Claims 1, 2, 4-9, 11-15, 17, 19-23, 25, 27, and 28

Claims 1, 2, 4-9, 11-15, 18, 19-23, 25, 27, and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Stancil, et al.* ("Stancil," U.S. Pat. No. 6,065,081) in view of *Mooney, et al.* ("Mooney," U.S. Pat. No. 5,515,440) in further in view of *Yamamoto, et al.* ("Yamamoto," U.S. Pub. No. 2005/0077355). Applicant respectfully traverses.

Independent claim 1 provides as follows (emphasis added):

> 1.   A computer comprising:
>
> *a network interface configured to receive via a network authorization from a remote network administrator device for the computer to use a modem card* that facilitates connectivity between the computer and other devices;
>
> an *external card slot* configured to receive the modem card;
>
> a card detector configured to detect the presence of the modem card when the modem card is inserted into the card slot; and
>
> *a card power switch configured to supply power to the modem card only when the authorization has been received and the card detector detects the presence of the modem card within the card slot.*

In the Office Action it is argued that Stancil discloses "a network interface configured to receive via a network authorization from a remote network administrator device for the computer to use a modem card that facilitates connectivity between the computer and other devices". As a first matter regarding that limitation, Applicant notes that Stancil does not in fact disclose a "network interface". In column 5, lines 10-13 of the Stancil reference, which were cited in the Office Action, Stancil states:

FIG. 5 shows a flowchart of the operation of the preferred embodiment. When the system is started (step 510), the user is given the opportunity to enter an administrator password (step 520).

Stancil, column 5, lines 10-13. As can be appreciated from that excerpt, Stancil simply describes a user of a computer being provided with the option of entering a password. Therefore, Stancil clearly does not disclose a "network interface". At best, Stancil discloses a standard user interface, which has nothing to do with a "network".

As a second matter regarding the above-identified limitation, Stancil further does not in fact disclose a network interface that is "configured to receive via a network authorization from a remote network administrator device for the computer to use a modem card". In column 5, lines 13-16 of the Stancil reference, which were cited in the Office Action, Stancil states (continuing from the last excerpt):

If this password is entered, the user may then change the configuration of enabled and disabled slots (among many other possible configuration changes), by indicating which slots should be designated as "empty" (step 570).

Stancil, column 5, lines 13-16. As is clear from that excerpt, Stancil does not say anything about a computer receiving a "network authorization" from a "remote network administrator device". Instead, Stancil merely describes a user of a computer changing a configuration of that computer. Because Stancil does not disclose a computer receiving any "network authorization" from any "remote network administrator device", it logically follows that Stancil does not disclose a network interface that is "configured to receive

via a network authorization from a remote network administrator device for the computer to use a modem card" as required by claim 1.

Later in the Office Action, it is acknowledged that Stancil fails to disclose or suggest several of the other limitations of claim 1. In view of the shortcomings of the Stancil disclosure, the Office Action identifies the Mooney reference, which is argued to disclose a system that uses a system administrator card "to authorize other user cards." *Office Action*, page 3. Applicant disagrees with that summation of the Mooney disclosure. Specifically, Mooney does not in fact state in column 2, lines 9-15 (cited in the Office Action), or elsewhere in the disclosure, that an administrator card is used to authorize other user cards. Instead, Mooney discloses a method in which access to a computer system, including its various components such as disk drives, ports, and an internal modem, is denied if the user does not present a valid user card and supply valid associated information. *Mooney*, column 5, line 45 to column 6, line 11. Accordingly, Mooney's disclosure is not directed to "authorizing" any user "cards" as is alleged in the Office Action.

Turing to the Office Action's application of the Mooney reference to claim 1, Mooney appears to be relied upon as disclosing "a card power switch configured to supply power to the modem card only when the authorization has been received and the card detector detects the presence of the modem card within the card slot". Applicant disagrees with that position. In particular, although Mooney discloses manipulating a power control circuit 119 to control access to the various internal components of the secure computer system, Mooney does not contemplate supplying power to a "modem card" received in an "external card slot" of a computer. Applicant

submits that neither Mooney, nor any of the other cited prior art references, disclose or suggest such power regulation for a device *that is not an integral part of the computer.* Regarding the Mooney reference, all components for which access is regulated comprise an internal component of the secure computer system. Regarding the Stancil reference, Stancil only discusses internal card slots. Regarding the Yamamoto reference, Yamamoto does not describe controlling access to a modem card, whether it be internal or external. Accordingly, the applied references do not disclose or suggest the "card power switch" limitation.

In view of the above, it is respectfully submitted that independent claim 1 and its dependents are allowable over the applied references.

Turning to independent claim 13, Applicant notes that the method described in that claim is also allowable over the applied references for similar reasons as claim 1. Specifically, none of the references disclose or suggest a computer "determining whether authorization has been received from a remote network administrator device for the computer to use the modem card". Again, Stancil, which is relied upon in the Office Action as disclosing that limitation, is silent as to receiving authorization from a remote network administrator device. Furthermore, none of the applied references disclose or suggest a computer "providing power to the modem card if the authorization has been received and not providing power to the modem card if the authorization has not been received". Again, none of the references contemplate restricting access to a modem card received in an external card slot.

For at least the foregoing reasons, Applicant respectfully requests that the rejections be withdrawn.

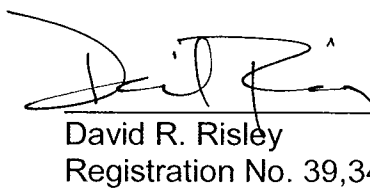**B.   Rejection of Claims 3, 10, 16, 18, 24, and 26**

Claims 3, 10, 16, 18, 24, and 26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Stancil* in view of *Mooney* in further view of *Yamamoto*, and in further view of *Morrow* (U.S. Pub. No. 2004/0156151). Applicant respectfully traverses the rejection.

As identified above, Stancil, Mooney, and Yamamoto do not teach aspects of Applicant's claims. In that Morrow does not remedy the deficiencies of the Stancil, Mooney, and Yamamoto references, Applicant respectfully submits that claims 3, 10, 16, 18, 24, and 26 are allowable over the Stancil/Mooney/Yamamoto/Morrow combination for at least the same reasons that claims 1 and 13 are allowable over Stancil/Mooney/Yamamoto.

CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

David R. Risley
Registration No. 39,345